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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,908	12/21/2001	Krzysztof Matyjaszewski	001153	1574

26285 7590 04/29/2002

KIRKPATRICK & LOCKHART LLP  
535 SMITHFIELD STREET  
PITTSBURGH, PA 15222

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 04/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



Paper No.

**Notice of Non-Compliant Amendment (37 CFR 1.121)**

The amendment filed on 12/21/01 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☒ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: ABSTRACT

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☒ **PRELIMINARY AMENDMENT:** Unless applicant **supplies the omission or correction** to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to **supply the omission or correction noted above** in order to **avoid abandonment**. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

DA T-C  
Legal Instruments Examiner (LIE)

## SAMPLE AMENDMENT FORMAT

Applicant : James Q. Inventor  
Appl. No. : XX/YYY,YYY  
Filed : April 19, 1999  
Title : Griller  
  
Grp./A.U. : 1744  
Examiner : John Doe  
  
Docket No. : 12345/JAS/R758

Honorable Commissioner for Patents  
Washington DC 20231

### AMENDMENT

Sir:

In response to the Office action of October 10, 2000, please amend the above-identified application as follows:

#### **In the Specification:**

Please replace the paragraph beginning at page 5, line 15, with the following rewritten paragraph:

-- In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars. --

#### **In the claims:**

Please cancel claim 6.

Please amend claim 7 as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 watts and the weight of the grill member is about 3.5 kg.

REMARKS/ARGUMENTS

Claims 1-5 and 7-10 remain in this application. Claim 6 has been canceled. Claim 7 has been amended.

The examiner has acknowledged that claims 1-5 and 7-10 are directed to allowable subject matter. Claim 6 has been canceled as being drawn to an embodiment no longer of interest to applicant. Claim 7 has now been amended to correct editorial errors and clear up any matters of form.

Claim 7 has been amended for the following reasons:

.....  
.....

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

SMITH, JONES & BROWN

BY \_\_\_\_\_

Jane B. Attorney  
Reg. No. 99,999  
(101) 555-2345

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the specification:**

Paragraph beginning at line 15 of page 5 has been amended as follows:

In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars.

**In the claims:**

Claim 6 has been canceled.

Claim 7 has been amended as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 ~~1600~~ watts and the weight of the grill member is about 3.5 kg.